

## CRAVATH, SWAINE &amp; MOORE LLP

WORLDWIDE PLAZA  
825 EIGHTH AVENUE  
NEW YORK, NY 10019-7475

TELEPHONE: +1-212-474-1000  
FACSIMILE: +1-212-474-3700

CITYPOINT  
ONE ROPEMAKER STREET  
LONDON EC2Y 9HR  
TELEPHONE: +44-20-7453-1000  
FACSIMILE: +44-20-7860-1150

WRITER'S DIRECT DIAL NUMBER  
+1-212-474-1596

WRITER'S EMAIL ADDRESS  
Korsini@cravath.com

JOHN W. WHITE  
EVAN R. CHESLER  
STEPHEN L. GORDON  
ROBERT H. BARON  
DAVID MERCADO  
CHRISTINE A. VARNEY  
PETER T. BARBUR  
MICHAEL S. GOLDMAN  
RICHARD HALL  
JULIE A. NORTH  
ANDREW W. NEEDHAM  
STEPHEN L. BURNS  
KATHERINE B. FORREST  
KEITH R. HUMMEL  
DAVID J. KAPPOS  
DANIEL SLIFKIN  
ROBERT I. TOWNSEND, III  
PHILIP J. BOECKMAN  
RONALD E. CREAMER JR.  
WILLIAM V. FOGG  
FAIZA J. SAEED  
RICHARD J. STARK  
THOMAS E. DUNN  
MARK I. GREENE  
DAVID R. MARRIOTT  
MICHAEL A. PASKIN  
ANDREW J. PITTS  
MICHAEL T. REYNOLDS

ANTONY L. RYAN  
GEORGE E. ZOBITZ  
GEORGE A. STEPHANAKIS  
DARIN P. MCATEE  
GARY A. BORNSTEIN  
TIMOTHY G. CAMERON  
KARIN A. DEMASI  
DAVID S. FINKELSTEIN  
RACHEL G. SKAISTIS  
PAUL H. ZUMBRO  
ERIC W. HILFERS  
GEORGE F. SCHOEN  
ERIK R. TAVZEL  
CRAIG F. ARCELLA  
LAUREN ANGELILLI  
TATIANA LAPUSHCHIK  
ALYSSA K. CAPLES  
JENNIFER S. CONWAY  
MINH VAN NGO  
KEVIN J. ORSINI  
MATTHEW MORREALE  
JOHN D. BURETTA  
J. WESLEY EARNHARDT  
YONATAN EVEN  
BENJAMIN GRUENSTEIN  
JOSEPH D. ZAVAGLIA  
STEPHEN M. KESSING  
LAUREN A. MOSKOWITZ

DAVID J. PERKINS  
J. LEONARD TETI, II  
D. SCOTT BENNETT  
TING S. CHEN  
CHRISTOPHER K. FARGO  
DAVID M. STUART  
AARON M. GRUBER  
C. KEITH HALLAM, III  
OMID H. NASAB  
DAMARIS HERNÁNDEZ  
JONATHAN J. KATZ  
DAVID L. FORTILLA  
RORY A. LERARIS  
MARGARET T. SEGALL  
NICHOLAS A. DORSEY  
ANDREW C. ELKEN  
JENNY HOCHENBERG  
VANESSA A. LAVELY  
G.J. LIGELIS JR.  
MICHAEL E. MARIANI  
LAUREN R. KENNEDY  
SASHA ROSENTHAL-LARREA  
ALLISON M. WEIN  
MICHAEL P. AODIS  
JUSTIN C. CLARKE  
SHARONMOYEE GOSWAMI  
C. DANIEL HAAREN  
EVAN MEHRAN NORRIS

LAUREN M. ROSENBERG  
MICHAEL L. ARNOLD  
HEATHER A. BENJAMIN  
MATTHEW J. BOBBY  
DANIEL J. CERQUEIRA  
ALEXANDRA C. DENNING  
HELAN GEBREMARIAM  
MATTHEW G. JONES  
MATTHEW M. KELLY  
DAVID H. KORN  
BRITTANY L. SUKIENNIK  
ANDREW M. WARK

PARTNER EMERITUS  
SAMUEL C. BUTLER

OF COUNSEL  
MICHAEL L. SCHLER  
CHRISTOPHER J. KELLY  
KIMBERLEY S. DREXLER  
NICOLE F. FOSTER  
LILLIAN S. GROSSBARD  
KIMBERLY A. GROUSSET  
ANDREI HARASYMIK

December 6, 2021

In re Google Digital Advertising Antitrust Litigation, No. 1:21-md-03010 (PKC)  
State of Texas, et al. v. Google LLC, No. 1:21-cv-06841 (PKC)

Dear Judge Castel:

We represent Facebook, Inc.<sup>1</sup> ("Facebook") in the above-captioned multidistrict litigation. We write concerning Plaintiff States' Reply to Defendant Google LLC's Response to Plaintiffs States' Motion for Leave to File the Unredacted Third Amended Complaint Under Seal (the "Reply") (Dkt. 187) in the *State of Texas, et al. v. Google LLC* action, in which Facebook is not a party. In accordance with Rule 1.A of the Court's Individual Practices, we note that no upcoming conferences are currently scheduled in this matter.

In their Reply, Plaintiffs are attempting to relitigate two orders of this Court requiring Plaintiffs to keep the identities of Facebook employees discussed in their complaint against Google under seal. On October 15, 2021, this Court entered an order granting Google's request to seal the "names, job titles and e-mail addresses" of certain Google employees who were referenced in the Second Amended Complaint. (Dkt. 147.) On October 21, 2021, non-party Facebook submitted a letter respectfully requesting the Court afford "the same treatment being afforded to information about Google employees" to information about Facebook employees. (Dkt. 150.) That same day, this Court entered a Memo Endorsement of Facebook's request, noting that the "Names, contact information, including email addresses of Facebook employees, if any, should be redacted before the Second Amended Complaint is publicly filed. (Dkt. 151.) Consistent with that order, Plaintiffs thereafter redacted the personally identifying information

<sup>1</sup> On October 28, 2021, Facebook, Inc. changed its name to Meta Platforms, Inc.

The intent is granting Google's applicants was to shield names, job titles and contact information of employees of Google who are not senior executives. The plaintiffs need not redact the titles of Facebook's Chief Executives from the Third Amended Complaint. SO ORDERED. 12-6-21

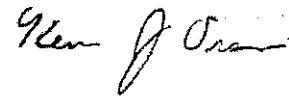
regarding Facebook employees, including job titles, from the Second Amended Complaint before publicly filing it. (Dkt. 152.)

On November 12, 2021, Plaintiffs filed their Third Amended Complaint along with a motion to file the unredacted Third Amended Complaint under seal. (Dkts. 174, 176.) In that motion to seal, Plaintiffs first sought to revisit the sealing issue the Court had already decided by arguing that only the names of “lower-level” Facebook employees should remain redacted and not the names of “higher-level” Facebook employees. (Dkt. 174 at 2-3.) Facebook submitted a response noting that this Court had already addressed this issue and requested that the Court afford the same protections to Facebook employees referenced in the Third Amended Complaint as it afforded to Facebook employees referenced in the Second Amended Complaint. (Dkt. 184.) This Court entered a Memo Endorsement of Facebook’s request on December 2, 2021. (Dkt. 186.)

In a reply to their motion to seal filed after the Court’s memo endorsement, Plaintiffs have yet again tried to revisit the Court’s Order. This time, Plaintiffs contend that they do not need to redact the job titles of non-party Facebook employees referenced in the Third Amended Complaint because Facebook’s most recent letter and the Court’s Memo Endorsement of it did not explicitly mention the redaction of job titles. (Dkt. 187 at 2-4.) But Plaintiffs’ position is clearly inconsistent with the Court’s previous orders and the treatment that was afforded the Facebook employees with respect to the Second Amended Complaint. The purpose of those orders was to protect the privacy interest of non-party Facebook employees and un-redacting job titles would likely defeat the purpose of the Courts’ prior orders.

Facebook therefore respectfully requests that the Court decline to revisit its prior orders on this issue and continue to require Plaintiffs to redact all personally identifying information regarding non-party Facebook employees before the Third Amended Complaint is publicly filed.

Respectfully submitted,



Kevin J. Orsini

The Honorable P. Kevin Castel  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

cc: All Counsel of Record (via CM/ECF)